

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) Case No. 09-10243-MLW
v.) UNDER SEAL
RYAN HARRIS, a/k/a DerEngel,)
and)
TCNISO, INC.,)
Defendants)

GOVERNMENT'S SUPPLEMENTAL
MOTION TO SEAL INDICTMENT

On August 19, 2009, the government asked the Court to seal the indictment, the criminal case cover sheet, and the motion to seal, all filed that day, in the above-captioned case. The government asked that the sealing order remain in effect until defendant Ryan Harris is arrested, at which point the indictment will automatically become unsealed without further order of the Court, so that it can be promptly provided to the defendant and his counsel. The Government stated, in its motion to seal, that it anticipated that Harris would be arrested in 4-6 weeks, because the arrest needed to be done simultaneously with several search warrants and interviews, all of which would take a significant amount of time to prepare for and coordinate.

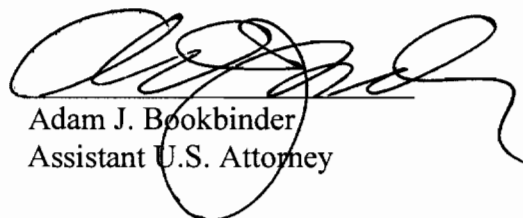
The government is filing this supplemental motion to seal to ask that the sealing order be continued because Harris still has not been arrested, although the government now anticipates that this will happen within the next three weeks. Complications from coordinating assistance from several other districts with the arrest and simultaneous search warrants and interviews, arranging to have the Boston-based case agents travel to California for the arrest and primary search, and the recent changes to search and seizure law in the Ninth Circuit have led to unanticipated delays.

Nonetheless, the government asks the Court to continue the sealing order, because disclosure of the indictment or any other pleadings could allow Harris or others to flee or obstruct justice by destroying or tampering with evidence. The government also asks that the Court continue its order that the indictment automatically become unsealed upon Harris's arrest, without further order of the Court, so that it can be promptly provided to the defendant and his counsel.

Respectfully submitted,

MICHAEL K. LOUCKS
Acting United States Attorney

By:



Adam J. Bookbinder
Assistant U.S. Attorney

Dated: October 8, 2009